IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23808 of 2003

Between:

1 K.Satyanarayana, S/o.Subrahmanyam,
Secretary, Satyanarayanapuram PACS, Cherla Mandal,

Khammam District.
2 V.Damodara Rao, S/o.Ravinder,
Clerk, Satyanarayanapuram PACS, Cherla Mandal,

Khammam District.
3 D.Ramachandra Prabhu, s/o. Suryanarayana,
Addl.Secretary, Satyanarayanapuram PACS, Cherla Mandal,

Khammam District.
4 M.Seetharamulu, S/o. Guravaiah,
Attender, Satyanarayanapuram PACS, Cherla Mandal,

Khammam District.
5 B.Ch.Appa Rao, S/o. Ramulu,
Secretary, Chodavaram PACS, Chodavaram, Bhadrachalam

Mandal, Khammam District.
6 Ch.Tirumala Rao, s/o. Lakshmaiah,
Addl.Secretary, Thegada PACS, Cherla Mandal,
Khammam District.
7 K.Satyanarayana, S/o. Kannaiah,
Secretary, Thegada PACS, Cherla Mandal,
Khammam District.
8 V.Chitti Babu, S/o. Ramaiah,
Clerk, Mamidigudem PACS, Cherla Mandal,

Khammam District.

9 T.Veerraju S/o. Subba Rao,
Secretary, Mamidigudem PACS, Cherla Mandal,
Khammam District.

10 V.Nageswara Rao, S/o. Mallaiah,
Attender, Vajeedu PACS, Vajeedu Mandal,
Khammam District.

11 S.Satyanarayana, S/o. Madavaiah,
Secretary, Vajeedu PACS, Vajeedu Mandal,
Khammam District.

12 V.Vara Prasad, S/o. Viratu Murthy,
Clerk, Vajeedu PACS, Vajeedu Mandal,
Khammam District.

13 D.Sarveswara Rao, S/o. Atchi Raju,
Secretary, Alubaka PACS, Venkatapuram Mandal,
Khammam District.

14 H.Ramesh, S/o. Venkateswara Rao,
Clerk, Venkatapuram PACS, Venkatapuram Mandal,
Khammam District.

15 K.Ramulu, s/o. Venkanna,
Attender, Venkatapuram PACS, Venkatapuram Mandal,
Khammam District.

16 A.Siva Satyanarayana, S/o. Koteswara Rao,
Secretary, Venkatapuram PACS, Venkatapuram Mandal,
Khammam District.

17 Y.Lakshmana Rao, S/o. Rajaiah,
Clerk, Gundala PACS, Bhadrachalam Mandal,
Khammam District.

18 G.Ratnakumari, W/o. Jayaprakash,
Secretary, Gundala PACS, Bhadrachalam Mandal,
Khammam District .

19 P.Venkateswarlu, s/o. China subbaiah,
Clerk, Purushottapatnam PACS, Bhadrachalam Mandal,
Khammam District.

20 G.Jayaprakash, S/o. Samyul,
Secretary, Purushottapatnam PACS, Bhadrachalam

Mandal, Khammam District.

21 G.Siva Kumar, S/o. Lakshmi Narayana,
Clerk, Bhadrachalam PACS, Bhadrachalam Mandal,
Khammam District.

22 M.Dattatreyudu, S/o. Subrahmanyam,
Secretary, Bhadrachalam PACS, Bhadrachalam Mandal,
Khammam District.

23 G.Divakar Rao, S/o. Somaiah,
Secretary, Dummugudem PACS, Dummugudem,

Khammam District.

24 Ch.D.John Raju S/o. Dattam,
Accountant, Kachavaram PACS, Kanavaram Mandal,
Khammam District.

25 M.Rathaiah, S/o. Buchiramanna,
Secretary, Kachavaram PACS, Kanavaram Mandal,
Khammam District.

..... PETITIONERS

AND

1 The Secretary, Cooperation Department,

Govt.of A.P. Secretariat,Hyderabad
2 The Commissioner for Cooperation and Registrar of

Cooperative Societies, Govt.of A.P., Hyd.
3 The District Cooperative officer, Khammam, Khammam

District.
4 The Divisional Cooperative officer, Bhadrachalam,

Khammam District.
5 The General Manger, Khammam District Cooperative

Central Bank Ltd., Khammam, District.
6 The Chairman/PIC, The Satyanarayanapuram PACS, Cherla

Mandal, Khammam District
7 The Chairman/PIC,The Chodavaram PACS, Chodavaram

Bhadrachalam Mandal, Khammam District.
8 The Chairman/PIC,The Thegada PACS, Cherla Mandal,

Khammam District.
9 The Chairman/PIC,The Mamidigudem PACS, Cherla

Mandal, Khammam Dist.
10 The Chairman/PIC,The Vajeedu PACS, Vajeedu Mandal,

Khammam District.
11 The Chairman/PIC,The Alubaka PACS, Venkatapuram

Mandal, Khammam District
12 The Chairman/PIC,The Venkatapuram PACS
Venkatapuram Mandal, Khammam District.
13 The Chairman/PIC,The Gundala PACS
Bhadrachalam Mandal Khammam District.
14 The Chairman/PIC,The Purushottapatnam PACS,
Bhadrachalam Mandal, Khammam District.
15 The Chairman/PIC,The Bhadrachalam PACS, Bhadrachalam

Mandal Khammam District.
16 The Chairman/PIC,The Dummugudem PACS,

Dummugudem, Khammam District
17 The Chairman/PIC,The Kachavaram PACS, Kanavaram

Mandal, Khammam District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the impugned action of the respondents in not paying salaries to the petitioners in the guise of implementing section 116 c of the A.P.C.S. Act by not taking into consideration the amounts recoverable due to the society within the meaning of gross profit as highly illegal, arbitrary and violative of Arts.14 and 21 of the Constitution of India.

Counsel for the Petitioners: MR.G.V.SHIVAJI

Counsel for the Respondent Nos.1 to 4.: GP FOR COOPERATION.

Counsel for Respondent Nos 5, 8 and 17: Mr. P.M. Gopala Rao.

Counsel for Respondent Nos 6,7,9 to 14, 16: None appeared.

Counsel for Respondent No.15: Notice sent returned unserved.

The Court made the following order:

Learned counsel appearing for the petitioners submits that the subject matter of this writ petition is squarely covered by the judgment of this Court in W.P.No.3171 of 2003 and batch dated 30-8-2004.

Following the said judgment, this writ petition is dismissed by and in terms thereof. No costs.

9-9-2004

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To

1 The Secretary, Cooperation Department,

Govt.of A.P.Secretariat,Hyderabad

2 The Commissioner for Cooperation and Registrar of

Cooperative Societies Govt.of A.P.Hyd.

3 The District Cooperative officer, Khammam, Khammam

District.
4 The Divisional Cooperative officer Bhadrachalam, Khammam

District.
5 The General Manger, Khammam District Cooperative Central

Bank Ltd., Khammam,District
6 The Chairman/PIC, The Satyanarayanapuram PACS Cherla

Mandal, Khammam District.
7 The Chairman/PIC,The Chodavaram PACS, Chodavaram

Bhadrachalam Mandal, Khammam District
8 The Chairman/PIC,The Thegada PACS, Cherla Mandal,

Khammam District.
9 The Chairman/PIC,The Mamidigudem PACS, Cherla Mandal,

Khammam Dist.
10 The Chairman/PIC,The Vajeedu PACS, Vajeedu Mandal,

Khammam District.
11 The Chairman/PIC,The Alubaka PACS, Venkatapuram

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Venkatapuram Mandal, Khammam District
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Bhadrachalam Mandal Khammam District
14The Chairman/PIC,The Purushottapatnam PACS
Bhadrachalam Mandal Khammam District
15The Chairman/PIC,The Bhadrachalam PACS,

Bhadrachalam, Khammam District
16 The Chairman/PIC,The Dummugudem PACS, Dummugudem,
Khammam District .
17 The Chairman/PIC,The Kachavaram PACS, Kanavaram

Mandal, Khammam District

18. 2CCs to GP for Cooperation, High Court of A.P.,

Hyderabad.(OUT)

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